

REMARKS

This Amendment is being filed in response to the Office Action mailed February 17, 2006. The Examiner's comments in that Action has been carefully considered.

All claims of record 1, 2 and 4-14 have been rejected. Initially, the Examiner has objected to the specification, requiring certain section headings. The specification has been amended to comply with this request. The correction to page 8, line 21, which was also required, has likewise been made, and the Abstract has been shortened to comply with the length requirements for abstracts.

Claims 1, 2 and 4-14 have been rejected as being indefinite for reasons set forth in paragraph 4 on page 3 of the Office Action. Claim 1 has been canceled and rewritten as new claim 15. The remaining claims have been amended to correct dependency, as well as any informalities that have come to the attention of applicant. It is respectfully submitted that the amendments to the claim address and overcome the indefiniteness rejections, and this rejection, therefore, should be reconsidered and withdrawn.

Original independent claim 1 has rejected as being obvious and therefore patentable for reasons set forth in paragraph 6 on page 4 of the Office Action, citing U.S. Patent No. 3,287,696 to Cholet et al. Although original claim 1 specified an inner housing and an outer housing, the Examiner evidently has not given weight to such structures because of the "indefiniteness" of the claim. It is respectfully submitted, however, that new claim 15 is definite, and the Examiner is respectfully requested to give weight to the structural elements recited therein, including the outer

housing and the inner housing, as well as the other positively recited elements in the claim.

Regarding the cited patent to Cholet et al., this patent is clearly distinguishable and does not disclose nor even remotely suggest the subject matter of the claims, particular as amended.

All known generators of swinging motion operate according to the principle of Newton's third axiom (*actio* and *reactio*), in which a unit coupled to an object (outer housing, base plate, etc.) is moved relative to an inert mass (inner housing, a reaction mass, an inertial mass, etc.) by means of an effective force. Claim 1 and amended claim 15 are based, in essence, on this long-understood principle. The invention is indeed a special version of this principle, as are many other patented vibration generators.

What is new here is, however, the reciprocation of the inner housing in claims 1/15, which describes a generation of forces dependent on direction, in their effects over time. Each of the two integrated coils is independent of the polarity of its corresponding coil and is always constructively conditioned for the direction of force appropriate to it (sequential push-pull). This contrasts with the previously known art, which discloses many coils that are simultaneously activated (simultaneous push-pull). However, using the principle of soft metals with a magnetizing effect, the present method can reach the kernel of the coils, where the force that produced functions independently of polarity and is proportional to the square root of the coil flow. Thus, in the present invention, a permanent magnetic force is no longer

needed.

This cannot be confused with the long-known principle of an adjustable coil instrument or methods with a similar function in which the force is produced by a permanent magnet and remains linearly dependent on a direction proportional to the flow of the coil. This principle is, for example, used also with telephones with a coil in a permanent ring-magnet as well as in other combinations of coils and permanent magnets.

The reference U.S. Patent No. 3,287,698 to Cholet, throughout its disclosure, expresses an interaction only among coils in permanent magnetic fields (column 2, line 44), as well as a simultaneous, concomitant activation of the coil flows. At the same time, a simultaneous back-and-forth pressure of the coils in both directions (in linear dependence on the polarity and strength of the coil strength) produces a horizontal force on the wedge-shaped bodies. This horizontal force, through this switching process, produces a vertical movement of the unit P coupled to an object (plate, baseplate) as opposed to the inert mass M (mass, inertial mass, reaction mass).

The reference U.S. Patent No. 3,718,111 to Lavergne has already been confronted in the subject application's German filing [prosecution]. Its disclosure represents is only a simultaneous activation of the forces F1 and F2 into a sum of forces ("two equal and opposed forces," "simultaneously applying" in Claim 1, "simultaneously transmitting" in Claim 2). This contrasts with our basic principle and only touches on Newton's third axiom.

International Publication No. WO 90/14168 to Ostle shows the classic principle of a coil movement in the split ring of a permanent magnet (the principle of

electrodynamic telephones), with which the coil is bounded to the object or baseplate, which in turn supports, against the inert mass (reaction mass, inertial mass) the permanent magnet. In this way a force, linearly proportional to the coil, one that is dependent on direction, is produced through the flow of the coils. A cascading system of this kind, for example, one with two coils, would then only be possible if there were simultaneous activation of the flow of the coils.

It is believed that this application is now in condition for allowance. Early allowance and issuance is respectfully requested.

Date: May 17, 2006

Lackebach Siegel LLP
One Chase Road
Scarsdale, NY 10583
Telephone: 914 723 4300

MG/as

Respectfully submitted,

LACKENBACH SIEGEL LLP
Attorneys for Applicant(s)
Customer No. 28752

By: 

MYRON GREENSPAN
Reg. No.: 25,680